

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

E. Clifton Knowles
U.S. Magistrate Judge

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES W. CARELL, ET AL.

Defendants.

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No. 3:09-cv-00445

Judge Wiseman

Magistrate Judge Knowles

**DEFENDANTS JAMES W. CARELL FAMILY TRUST AND DIVERSIFIED
HEALTH MANAGEMENT INC.'S MOTION TO SHORTEN TIME
FOR RESPONSES TO REQUESTS FOR PRODUCTION**

In accordance with Federal Rule of Civil Procedure 34(b)(2)(A), Defendants Diversified Health Management, Inc. and the James W. Carell Family Trust ("Defendants") respectfully request that the Court shorten the time period that Plaintiff United States of America ("Plaintiff") has to respond to Requests for Production served by Defendants. Defendants specifically request that the Court order Plaintiff to respond to those requests within 15 rather than 30 days.¹

FACTUAL BACKGROUND

Plaintiff filed this False Claims Act lawsuit against Defendants and other individuals and entities on May 18, 2009. (Doc. 1). The deposition of Chris Covington ("Mr. Covington") was taken on Friday, May 14, 2010. Mr. Covington is a Special Agent Criminal Investigator for the Department of Health and Human Services and was designated by Plaintiff as a Rule 30(b)(6) witness. During his deposition, Mr. Covington was asked to identify the materials he had reviewed in preparation for his deposition. He responded that he had reviewed "dozens" of

¹ The Requests were served on Plaintiff by hand delivery on Monday, May 17, 2010. If the Court were to grant this motion, Plaintiff would have to respond by Tuesday, June 1, 2010.